

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

ANDREW L. COLBORN,

Plaintiff

v.

NETFLIX, INC., et al.,

Defendants.

Case No. 19-CV-484

MOTION TO TEMPORARILY RESTRICT

Pursuant to Rule 5.2(d) of the Federal Rules of Civil Procedure and Civil Local Rule 79(d)(4), Plaintiff, by his undersigned counsel, respectfully moves the Court to temporarily restrict from public access 1) Plaintiff's unredacted brief in opposition to Defendants' Summary Judgment motions; 2) Plaintiff's unredacted Response to Chrome Media, LLC's Proposed Findings of Fact; 3) Plaintiff's unredacted Additional Proposed Findings of Fact; and materials produced by Chrome that are used as exhibits to the Declaration of April Rockstead Barker. In support of this motion, Plaintiff states as follows:

1. For purposes of the protective order entered in this case, counsel for Defendants Chrome Media, LLC, Laura Ricciardi, and Moira Demos have designated all of the communications produced by them as confidential, and have designated some as attorneys' eyes only.

2. While Plaintiff's counsel was able to reach a stipulation with Netflix, Inc., that most of the documents it produced could be filed publicly for summary judgment purposes, Chrome's counsel indicated that Chrome would need to review all materials proposed to be filed publicly before it could consent.

3. It has taken through today for Plaintiff's counsel to fully assemble responsive materials, so there is no time to permit Chrome's counsel a preview of the materials proposed to be filed before filing.

4. Plaintiff hopes that Chrome's counsel will, promptly after filing of the responsive materials, agree that the brief and all proposed facts and responses can be filed publicly, particularly given that Chrome filed many of its documents publicly with its original motion.

5. In the interim, Plaintiff intends to submit a redacted version of the materials to be temporarily restricted that will "black out" references to the substance of all materials produced by Chrome.

6. The only document that is a Netflix-produced document that is proposed to be filed as restricted is an exhibit to the declaration of Plaintiff's counsel that consists of excerpt of Netflix's licensing agreement with the other Defendants, and which Netflix has designated as "attorneys' eyes only."

Dated this 4th day of November, 2022.

By: /s/ George Burnett

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